

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN DOES 1 THROUGH 7,

Judgment Creditors,

v.

Case Action No. 6:22-cv-00990-DNH-TWD

THE TALIBAN, AL-QAEDA,
and THE HAQQANI NETWORK,

Judgment Debtors,

v.

THE BANK OF NEW YORK
MELLON,

Garnishee.

ORDER

UPON DUE AND CAREFUL CONSIDERATION of Judgment Creditors’ *Ex Parte* Motion for Writ of Execution (Dkt. Entry 5), and all legal authorities cited therein, including the Terrorism Risk Insurance Act of 2002 (“TRIA”), § 201(a), 28 U.S.C. § 1610 note, the Anti-Terrorism Act (“ATA”), 18 U.S.C. § 2333(a) and (e); and Judgment Creditors’ supporting expert witness Declaration and appendix, it is **ORDERED AND ADJUDGED** as follows:

(1) This court has subject matter jurisdiction to conduct post-judgment execution proceedings of Judgment Creditors’ final judgment under a federal statute (ATA), rendered by a U.S. district court and properly registered in this district pursuant to 28 U.S.C. § 1963, with post-judgment execution under the ATA and TRIA § 201.

(2) Judgment Creditors’ *Ex Parte* Motion for Writ of Execution is hereby granted;

(3) Based upon Judgment Creditors' supporting expert witness Declaration and appendix, as well as the declaration of counsel, the Court finds that Prominvestbank is an agency or instrumentality of the Taliban; that blocked assets of Prominvestbank are held at the Bank of New York Mellon in Oriskany, New York; and that those blocked assets are subject to attachment and execution to satisfy the judgment in this matter pursuant to TRIA and 18 U.S.C. § 2333(e);

(4) The Clerk of Court is hereby directed to issue the writ of execution in the form attached to Judgment Creditors' *Ex Parte* Motion as amended by the Court for service on garnishees by the U.S. Marshal; and

(5) The Clerk of this Court is authorized and directed to issue such further writs and other process in aid of execution as warranted under, and in accordance with, Rule 69 of the Federal Rules of Civil Procedure, consistent with the Court's Order.

Dated: November 1, 2022
Syracuse, New York

SO ORDERED:


Thérèse Wiley Dancks
United States Magistrate Judge